

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Darrell Alvin Johnson,

Civil 05-1009 DSD/FLN

Petitioner,

v.

O R D E R

Ann Taylor, Hennepin County,

Respondent.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated June 2, 2005, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that:

1. Petitioner's application to proceed *in forma pauperis* [#2] is DENIED; and
2. Petitioner's application for habeas corpus relief under 28 U.S.C. Section 2254 [#1] is DISMISSED WITHOUT PREJUDICE.

Dated: June 21, 2005

s/David S. Doty  
David S. Doty, Judge  
United States District Court